

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:     KENNETH ALSTON  
            AKA: KENNETH THOMAS ALSTON,  
            KENNETH T ALSTON

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-20-03276-RNO

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on November 25, 2020, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on November 10, 2020.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).
  - **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD**
  - **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
  - **CHAPTER 13 PLAN**
- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

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          KENNETH T ALSTON

CHAPTER 13  
  
CASE NO: 5-20-03276-RNO

**NOTICE**

The debtor(s) filed a Chapter13 Bankruptcy Petition on November 10, 2020.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

- **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME  
AND CALCULATION OF COMMITMENT PERIOD**
- **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
- **CHAPTER 13 PLAN**

A hearing with the Court has been scheduled for:

**Date:           January 6, 2021**  
**Time:          09:30 AM**  
**Location:      U.S. Bankruptcy Court**  
**Max Rosenn U.S. Courthouse**  
**Courtroom #2**  
**197 S. Main Street**  
**Wilkes Barre, PA**

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before:  
**December 9, 2020.** If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: November 25, 2020

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: KENNETH ALSTON  
AKA: KENNETH THOMAS  
ALSTON, KENNETH T  
ALSTON

CHAPTER 13

Debtor(s)

CASE NO: 5-20-03276-RNO

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on November 25, 2020, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

STEVEN R SAVOIA, ESQUIRE  
621 ANN STREET  
P.O. BOX 263  
STROUDSBURG, PA 18360-

Served electronically

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

KENNETH ALSTON  
1907 EXETER TERRACE  
EAST STROUDSBURG, PA 18301

Served by 1<sup>ST</sup> class mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: November 25, 2020

Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Fax: (717) 566-8313  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: KENNETH ALSTON  
AKA: KENNETH THOMAS ALSTON,  
KENNETH T ALSTON

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE

Movant

CASE NO: 5-20-03276-RNO

vs.

KENNETH ALSTON  
AKA: KENNETH THOMAS ALSTON,  
KENNETH T ALSTON

MOTION TO DISMISS

Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.